

Message Text

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ACTION ARA-17

INFO OCT-01 ADP-00 L-03 SS-15 NSC-10 SCA-01 JUSE-00 PRS-01

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P R 221835 Z JUN 73

FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC PRIORITY 4358

INFO AMCONSUL NASSAU

UNCLAS SAN JOSE 2244

E. O. 11652: N/A

TAGS: PGOV, EFIN, CS

SUBJECT: VESCO'S LAWYERS PRESENT DEFENSE

1. ROBERT VESCO'S COSTA RICAN LAWYERS JOSE MARIA PLA HORRIT AND ANTONIO ROBLES OREAMUNO FILED A BRIEF ON JUNE 20 WITH FIRST PENAL JUDGE ATILIO VINCENZI CHALLENGING THE EMBASSY'S REQUEST FOR PRELIMINARY WARRANT OF ARREST OF VESCO. THE BRIEF WAS PUBLISHED IN SAN JOSE PRESS JUNE 21. THE LAWYERS' BRIEF, A COPY OF WHICH WAS SUPPLIED TO THE EMBASSY BY THE COURT, DISCUSSES THE DOCUMENTS WHICH THE EMBASSY HAD PRESENTED TO THE JUDGE (TEXT OF INDICTMENT SUBMITTED JUNE 15 -- SAN JOSE 2156) AND POINTS OUT THAT THEY CONTAIN AS COMMON DENOMINATOR FOR OUR REQUEST VIOLATION OF TITLE 18 OF THE US CODE, NUMBERS 1343 AND 1342. THE VESCO LAWYERS SAY THE VIOLATION, "USE OF THE TELEGRAPH TO UNDERTAKE FRAUD", IS THE SAME THE EMBASSY HAS CHARGED SINCE THE ONSET.

2. PLA AND OREAMUNO MAKE THE POINT THAT EVEN WHEN THE DOCUMENTS REQUESTED OF THE EMBASSY BY THE JUDGE ARE RECEIVED BY THE COURT THE SITUATION WILL NOT CHANGE BECAUSE SUCH A CRIME IN THE US IS NOT CONTEMPLATED EITHER UNDER THE COSTA RICAN PENAL CODE OR THE

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EXTRADITION TREATY AND THUS THE JUDGE WILL
BE OBLIGED TO REJECT THE EMBASSY REQUEST FOR
PREVENTIVE ARREST.

3. A COPY OF THE DEFENSE LAWYER' S LETTER IS
BEING POUCHED.
VAKY

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*** Current Handling Restrictions *** n/a

*** Current Classification *** UNCLASSIFIED

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